

JAN 27 2009

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
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DAVID H. BRINKMAN
KRISTIL. DAVIDSON
KATHRYN E. SMITH
P. ANDREW BLATT, Ph.D.
DAVID E. JEFFERIES
J. DWIGHT POFFENBERGER, JR.
WILLIAM R. ALLEN, Ph.D.
JOHN PAUL DAVIS
BRETT A. SCHATZ
SARAH OTTE GRABER

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

WEBSITE: www.whpatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

DAVID W. DORTON
STEVEN W. BENINTENDI, Ph.D.
RANDALL S. JACKSON, JR.
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TIMOTHY D. ARDIZZONE, Ph.D.
RAMÓN A. URTEAGA
CHASTITY D. S. WHITAKER, Ph.D.
HARRY J. GUTTMAN, Ph.D.

OF COUNSEL
JOHN D. POFFENBERGER
DAVID J. JOSEPHIC
DONALD F. FREI
THOMAS W. FLYNN
JOSEPH R. JORDAN
C. RICHARD EBY

PATENT AGENT
MICHAEL H. SCHENKER

January 26, 2009

FACSIMILE COVER SHEET

To:	Company:	Fax Number:
Examiner Daniel Kesack	US Patent Office Group Unit No. 3691	571-273-8300
Total Pages:	24 (including cover sheet)	
From:	Thomas W. Humphrey	
Re:	i Attorney Docket: MPS-30DV3 US Application Serial No. 09/859,615 Filed May 16, 2001 System and Method For Paying Bills and Other Obligations Including Selective Payor and Payee Controls	

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Attached is an Appeal Brief. Please Apply the Appeal Brief and Extension of Time Fee to Account 23-3000.

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PATENT
ATTY. DOCKET NO. MPS-03DV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte

Appeal No. _____

Serial No.: 09/859,615
Filed: May 16, 2001
Group Art Unit: 3691
Examiner: Daniel Kesack
Applicant: George W. Landry
Title: System And Method For Paying Bills And Other Obligations
Including Selective Payor And Payee Controls

Cincinnati, Ohio 45202

January 26, 2009
Via Facsimile

APPEAL BRIEF

This brief is in furtherance of Applicant's Notice of Appeal filed August 26, 2008, appealing the decision of the Examiner dated February 26, 2008 finally rejecting claims 25-58. A copy of the claims appears in the Appendix to this brief.

Certificate of Facsimile Transmission

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/ Thomas W. Humphrey /
Thomas W. Humphrey
Reg. No. 34,353

January 26, 2009
Date

-1-

Real Party In Interest

The real party in interest in this appeal is MIDWEST PAYMENT SYSTEMS, an Ohio corporation of having a place of business at 38 Fountain Square Plaza, Cincinnati, Ohio 45263.

Related Appeals and Interferences

There are no such appeals or interferences.

Status of Claims**Total Number of Claims in the Application**

Claims in the application are 25-58.

Status of all the Claims

1. Claims cancelled: 1-24
2. Claims withdrawn from consideration but not cancelled: NONE
3. Claims objected to: NONE
4. Claims allowed or confirmed: NONE
5. Claims rejected: 25-58

Claims on Appeal

The claims on appeal are Claims 25-58.

Status of Amendments

There are no amendments pending.

Summary of Claimed Subject Matter as to Independent Claim 25

Independent Claim 25 is described in the specification on page 38, lines 3-18 and Fig. 3, reference numbers 112, 120 and 150, and on page 49, line 11 through page 50, line 2, and Fig. 7 of the drawings.

As recited in claim 25, a bill paying system stores information for payees, and payors, including parameters established for enabling transfers of funds from a payee to a payor by a funds transfer generator. A communication device receives bill data from a plurality of payees and causes an interactive device to present the plurality of transactions representing bills of at least two different payees.